

BAR Advisory Group Meeting minutes

Tuesday, January 9, 2007

BAR Advisory Group Members in attendance:

Louis J. Anapolsky, Knox, Lemmon & Anapolsky, LLP
Bob Constant, Automotive Service Councils of California (ASCCA)
Jim Custeau, Automotive Technology Program Coordinator - Cuyamaca College
Dennis DeCota, California Service Station & Automotive Repair Association (CSSARA)
Paul Frech, President, Automotive Trade Organizations of California (AuTO-CA)
George Hritz, California Automotive Teachers (CAT) - College of Marin
Marty Keller, California Automotive Business Coalition (CalABC)
Brian Maas, California Motor Car Dealers Association (CMCDA)
Jack Molodanof, Attorney, California Auto Body Association
Rosemary Shahan, President, Consumers for Auto Reliability and Safety (CARS)
Chris Walker, Nossaman, Guthner, Knox & Elliott, LLP
Randy Ward, California Emission Testing Industries Association (CETIA)
Peter Welch, President, California Motor Car Dealers Association (CMCDA)

BAR staff in attendance:

Shela Barker, DCA Legal Affairs
Andrew Collada, Manager, Administration
Diane Gearhart, Analyst
Stephanie Hendrix, Office Assistant
Michael Lafferty, Program Manager, Consumer Assistance Program
Sherry Mehl, Chief
Sylvia Ramos, Deputy Chief, Consumer Assistance & Administration
Wayne Ramos, Program Manager, Automotive Repair Field Operations & Enforcement
Shannon Stewart, Executive Assistant
Dick Sullivan, Program Manager, Smog Check Field Operations & Enforcement
Mike Vanderlaan, Deputy Chief, Field Operations & Enforcement

Welcoming Remarks and Introductions

Sherry Mehl, Chief, Bureau of Automotive Repair called the meeting to order at 9:30 a.m. The Chief thanked the attendees, BAG members, and the general public for coming. The Chief introduced the Department of Consumer Affairs Director, Charlene Zettel.

Director's Remarks

Charlene Zettel greeted and thanked all BAG members for their attendance. She congratulated Chief Mehl and Sylvia Ramos, the new Deputy Chief of Consumer Assistance and Administration, on their appointments.

The Director spoke on the challenges in the new year and the successes of the last. The Director mentioned the Next Generation Electronic Transmission (NGET) Project and thanked the entire NGET team for their dedication and hard work. She specifically thanked Mike Vanderlaan and Joe Pedrosa for all the work they did to get the project off the ground.

The Director discussed the new Breathe Easier campaign; she wants to increase the Department's efforts to reach communities where English is a second language. The Director wants to increase the knowledge in these communities of the programs offered by the State and the resources available to assist them with the repair/retirement of their high polluting vehicles.

The Director stated the BAR will also be placing special emphasis on the Smog Check Program. She wants to remove the negative connotation attached to getting a smog check by educating consumers on the importance of taking their vehicles in for their biennial inspection. The Governor wants to protect the Program; in the past fiscal year, 15,000 vehicles have been retired, resulting in 700 tons of smog emissions removed from the air.

The Director mentioned the Vehicle Retirement Program; the BAR is looking to increase the amount offered to eligible consumers to retire their high polluting vehicles.

The Director announced that the BAR will re-implement the free Auto Body Inspection Program.

Lastly, the Director addressed another goal for the BAR is to work with the industry. The Director noted that many experienced, highly trained professionals are retiring. She'd like to see the Department and BAR partner with colleges, vocational/technical schools, industry professionals and instructors to increase the number of trained individuals in the field of automotive repair.

The Director again thanked everyone for their attendance.

BAR Overview and Discussion

- **BAR Web site** – Jim Custeau is in a “holding pattern” in regards to the Web site and needs more direction/suggestions. Chief Mehl suggested that everyone, including industry stakeholders, be active and provide their input regarding the Web site. All comments and/or suggestions are to be directed to her assistant, Shannon Stewart (shannon_stewart@dca.ca.gov) or Jeff Wilcox (jeff_wilcox@dca.ca.gov) with the BAR's Application Support Office.
- **Low Pressure Fuel Evaporative Test** – Mike Vanderlaan stated the regulation was filed with the Office of Administrative Law. Some of the recommendations from the statewide workshops were included in the regulations. There are currently two tester manufacturers that have requested certification. There will be two public hearings, one in the south and the other in the north. Notices will be sent out. Implementation should begin taking place in November 2007. A question period followed with responses given by BAR staff.
- **BAG Meeting dates and locations for 2007** – The dates and locations for the BAG meetings were announced. Sherry also informed the dates are posted on the Web site. The suggestion was made to try and diversify the meeting locations so that all interested parties throughout the state can attend (specifically north of Sacramento). Sherry concurred with the suggestion.

California Air Resources Board

James Goldstene spoke on the close working relationship between the BAR and the Air Resources Board in implementing AB 1870. Mr. Goldstene also informed the group that the SIP implementation plan and measures will be on the Air Resources Board Web site soon.

Legislation & Regulation Discussion

- **Assembly Bill 1870 (Lieber) Draft Regulations** – Chief Mehl solicited input from interested parties to review a preliminary draft of the regulations. A meeting date has not been established.
- **Cite and Fine Program** – Chief Mehl reiterated her feelings from the November 13, 2006 BAG meeting that a cite and fine Program would be a useful tool for licensee compliance with violations that would normally be handled through a formal disciplinary process. A sign-up sheet was provided for all attendees to participate in a workshop to discuss. A meeting date has not been established.

- **Implementation of Disciplinary Guidelines** – Chief Mehl would like to reconvene the Disciplinary Guidelines Work Group. The last meeting was November 27, 2006. She stressed that more hard work and individual input needs to be put forth in order for this work group to be successful. She would like to meet with the Disciplinary Guidelines Work Group in February 2007.

Consumer Assistance Program Update

Chief Mehl introduced Sylvia Ramos, the new Deputy Chief, Consumer Assistance & Administration. Sylvia provided general statistics for the Consumer Assistance Program (CAP). Ms. Ramos announced the implementation of a language line (service provided by AT&T) that will assist the non-English speaking consumers who place a call to the BAR's Consumer Assistance Program. She also spoke on the increased number of CAP applications being processed.

Michael Lafferty, Manager of the CAP, spoke on the CAP Symposium in Bakersfield in late February 2007. The symposium is to educate licensees on the CAP and its procedures.

Mr. Lafferty announced that 22 contracts have been granted to auto dismantlers. The contracts are valid for 2 years. The contract requires dismantlers will also be open on Saturday.

Mr. Lafferty announced the development of a new database tied to the NGET. Also, the CAP will be working with the Department's Outreach Unit on various programs.

Auto Body Inspection Program Brochure

Wayne Ramos handed out copies of the new Auto Body Inspection Program brochure to BAG members and the audience. Wayne explained that this program (information also provided on BAR's Web site) will provide free auto body inspections to consumers who contact the BAR via a 1.800 number. Questions were raised regarding the extent of the inspections being provided and the expertise of the individuals performing the inspections. Questions were also raised if the industry had been consulted regarding the compilation of the brochure and the types of documentation BAR would seek in the course of an investigation.

Gold Shield

The BAR is reviewing the regulations currently in place regarding their clarity and appropriateness of Gold Shield regulations. The BAR is also reviewing the criteria for Gold Shield stations. Ideas will be presented at the next BAG meeting.

IMRC – Update

Judith Lamare, IMRC Vice-Chair, spoke on behalf of Rocky Carlisle; she informed that the next IMRC meeting is taking place at 9:30 a.m., Tuesday, January 23, 2007 at the CAL EPA building in Sacramento. The concept of an annual Smog Check for older year vehicles and the BAR Low Pressure Fuel Evaporative Test regulations are among the topics of discussion.

Meeting adjournment: 12:03 p.m., January 9, 2007

Next meeting: April 10, 2007 - Ontario